

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SHENZHEN KANGDI ELECTRONIC &
PLASTIC CO. LTD. d/b/a KAKICLAY *et*
al.,

Plaintiff,

v.

MICHAEL KEHOE d/b/a SHAMROCK
TRIPLE GYM,

Defendant.

Case No. 1:22-cv-06794

DECLARATION OF JIANFENG ZHANG

I, Jianfeng Zhang, declare and state as follows:

1. I am over the age of eighteen and have personal knowledge of the facts set forth in this Declaration. I am competent to testify as to all matters stated, and I am not under any legal disability that would in any way preclude me from testifying.
2. I am the Operation Manager of Shenzhen Kangdi Electronic & Plastic Co. Ltd. which operates the Amazon storefront KAKICLAY on which various home goods, such as workout equipment products, are sold.
3. Our workout equipment products are sold on Amazon under the brand name KAKICLAY.
4. Our Amazon storefront has enjoyed considerable commercial success over time, earning a 92% positive rating in the last twelve months out of 176 reviews, and a lifetime 97% positive rating out of 1,155 reviews.
5. Our ASIN B09BCLRHYL was ranked #4 in Strength Training Pull-Up Bars before being delisted.

6. As such, the KAKICLAY brand has built substantial goodwill and associated reputation amongst consumers.
7. Part of the KAKICLAY branded goods sold on Amazon include workout equipment products that embody and practice our Chinese Design Patent No. 214971472 and U.S. Design Patent Application No. 29/797283.
8. The Amazon Infringement Complaints filed against our storefront and workout equipment products has caused irreparable harm in the form of loss of market share, loss of customers, and loss of access to potential customers.
9. The Amazon Infringement Complaints delisted our workout equipment products, effectively preventing us from selling our workout equipment products to customers.
10. Such delisting amounts to the complete loss of the important Amazon customer relationship for these well-established listings. Such a relationship is carefully curated over time and difficult to recreate once lost.
11. We face a significant loss of consumer goodwill associated with the respective ASINs if they continue to be delisted as a delisted ASIN rapidly falls in the Amazon rankings and results in fewer page views for the seller, if and once they are restored.
12. In the Amazon market environment these customers are extremely difficult to win back once lost to a competing listing, as it takes significant time to re-establish goodwill in a listing via the slow accumulation of quality reviews and a significant sales record.
13. Over time, a vicious feed-back loop is created: delisting leads to a lower ranking in product searches, which leads to fewer page views, which leads to fewer sales and quality reviews, which leads to a lower ranking in product searches, *etc.*

14. These harms are magnified during the current holiday shopping season characterized by an increase in customer traffic, which is a prime opportunity to significantly boost our sales ranking.
15. Our ASINs face permanent delisting, which would cause us to create new ASINs from scratch, effectively forcing us to abandon all associated goodwill in our established ASINs and enter the highly-competitive Amazon market anew.
16. The delisting of our workout equipment products poses a significant risk to the operation of our business as a whole. These products are our most lucrative and bestselling. The sudden delisting has hurt the bottom line to a point where we may be forced to shrink our current operation.
17. We simply does not have the reserve assets to wait for fresh ASINs to establish themselves with a high-level sales ranking, a process that can take years.
18. We face removal and/or destruction of our delisted inventory, which would further dampen our increasingly bleak long-term financial outlook.
19. Our company will suffer immediate and irreparable injury, loss, and damage if an *ex parte* Temporary Restraining Order is not issued.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on December 8, 2022 in Guangdong, China.

/s/ Jianfeng Zhang
Jianfeng Zhang